

July 28, 2025

The Honorable Jerry Demings  
Mayor, Orange County  
201 South Rosalind Avenue, 5th floor  
Orlando, Florida 32801

Dear Mayor Demings,

FloridaCommerce has reviewed the Orange County adopted comprehensive plan amendment (Amendment No. 23-07ER), received on June 12, 2025, pursuant to the state coordinated review process in section 163.3184(2) and (4), Florida Statutes (F.S.). FloridaCommerce has identified conflicts with the application of Chapter 2025-190, Section 28, Laws of Florida (L.O.F.), and the adopted comprehensive plan amendment. These conflicts render the proposed and adopted comprehensive plan amendment null and void ab initio.

Chapter 2025-190 provides:

Section 28. (1) Each county listed in the Federal Disaster Declaration for Hurricane Debby (DR-4806), Hurricane Helene (DR-4828), or Hurricane Milton (DR-4834), and each municipality within one of those counties, may not propose or adopt any moratorium on construction, reconstruction, or redevelopment of any property damaged by such hurricanes; propose or adopt more restrictive or burdensome amendments to its comprehensive plan or land redevelopment regulations; or propose or adopt more restrictive or burdensome procedures concerning review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined by s. 163.3164, Florida Statutes, before October 1, 2027, an any such moratorium or restrictive or burdensome comprehensive plan amendment, land development regulation, or procedure shall be null and void ab initio. This subsection applies retroactively to August 1, 2024.

For the reasons outlined herein, Orange County's adopted amendment is more restrictive or burdensome, making it null and void ab initio, pursuant to Section 28 of Chapter 2025-190, L.O.F.

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If you have any questions concerning this review, please contact me by telephone at (850)-717-8512 or by email at [James.Stansbury@Commerce.fl.gov](mailto:James.Stansbury@Commerce.fl.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with the first name "James" being the most prominent.

James D. Stansbury, Chief  
Bureau of Community Planning and Growth

JDS/jc

cc: Olan Hill, AICP, Assistant Manager, Orange County

Tara McCue, AICP, Executive Director, East Central Florida Regional Planning Council

Chapter 2025-190, Section 28, Laws of Florida (L.O.F.), to provide:

Section 28. (1) Each county listed in the Federal Disaster Declaration for Hurricane Debby (DR-4806), Hurricane Helene (DR-4828), or Hurricane Milton (DR-4834), and each municipality within one of those counties, may not propose or adopt any moratorium on construction, reconstruction, or redevelopment of any property damaged by such hurricanes; propose or adopt more restrictive or burdensome amendments to its comprehensive plan or land redevelopment regulations; or propose or adopt more restrictive or burdensome procedures concerning review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined by s. 163.3164, Florida Statutes, before October 1, 2027, and any such moratorium or restrictive or burdensome comprehensive plan amendment, land development regulation, or procedure shall be null and void ab initio. This subsection applies retroactively to August 1, 2024.

Orange County's adopted Amendment 23-07ER adopts changes related to the following objectives, policies, and tables in the Comprehensive Plan that are more restrictive and/or burdensome and other requirements that are potentially more restrictive and/or burdensome than the County's currently adopted Comprehensive Plan. The following identified objectives, policies, and tables are more restrictive or burdensome: LMN-1.5.8, LMN-1.6.3(b), LMN-1.6.3(c), WEK-3.1.5, WEK-4.1, C-6.3.1, C-7.5, ROS-2.1, WAT-2.5.2, and E-2.1.3. The following policies are potentially more restrictive or burdensome: LMN-7.3.2, WEK-5.1.2, SM-1.1.4, and SM-1.6.6.